

Oregonian

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PORTLAND, OREGON, TUESDAY, MARCH 31, 1903.

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 LAST FRIDAY WE RECEIVED A BIG SHIPMENT OF THE FINEST ROSE BUSHES EVER SEEN IN THE CITY. They are selling very rapidly, but we still have enough left to show you that WE ARE the people that received them. Come early while the assortment is good... Catalogue Free.
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MANRARA'S BOUQUET
CLEAR HAVANA CIGARS
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All Ready for His Journey.
 WASHINGTON, March 30.—The President saw very few visitors today, his time being occupied in clearing up routine business preparatory to his departure on Wednesday. No visitors will be received tomorrow. John Burroughs, the naturalist, who will accompany the party to the Yellowstone Park will be the President's guest at the White House tomorrow night. He will leave the party at St. Louis after the return from the Yellowstone.

No Settlement at Fernie.
 VICTORIA, B. C., March 30.—According to dispatches from Fernie, the strike at the Crow's Nest Pass mines has not been settled, as was reported. The secretary of the National union received a dispatch today from the Fernie secretary, both unions being in the Western Federation of Miners, which said: "No settlement in sight. Tell men not to move." The latter sentence refers to a party of men who intend to leave Leavenworth and head for Fernie as soon as the strike is settled.

OTHER SIDE TOLD

How Simon Lost Job for His Friend Steel.

ANGRY WITH PRESIDENT

Story Goes He Said He Did Not Want Appointment.

UNLESS HE COULD HAVE HIS WAY

Version of Dresser's Friends is That He Wanted Bibe and Steel Appointed Together, Otherwise He Did Not Want Anything.

The other side of the story about Dresser's appointment to the Oregon City Land Office, which will probably be made today, is told to The Oregonian in Washington this:

After the President had agreed to appoint Bibe and Steel Receiver and Register, respectively, Simon asked that the appointments be sent to the Senate together. Mitchell objected, and Roosevelt deferred to his wish. Then Simon became angry, and told the President he did not want the appointment of Steel, if it came in that way; in fact, would not take it. He never again mentioned the appointment, though he could have had it for the asking, and when his term expired his right to control patronage expired, and the President considered himself absolved from his written promise.

OREGONIAN NEWS BUREAU, Washington, March 30.—Although the President has not announced the appointment of A. S. Dresser as Register of the Oregon City Land Office, the commission has been made out and awaits only his signature, which will probably be affixed before the President leaves Washington on Wednesday. There is another side to the issue of good faith which ex-Senator Simon has raised against the President in regard to his appointment, as related to The Oregonian correspondent, it is as follows:

There are several reasons why the President did not at this late day feel bound by his written promise to Senator Simon to appoint George Steel to this office. The principal reason, it develops, is that Senator Simon last Spring, upon the appointment of Bibe as Receiver of the Oregon City Land Office, actually released the President from his written promise. There had been a long contest over the appointment of a Receiver. The two Senators could not agree, and long after Senator Mitchell recommended Bibe no action was taken, although the President had determined to appoint him. When Senator Simon learned that Bibe's appointment had been promised he saw the President and complained that he was not being duly recognized in the distribution of Oregon patronage. It was then that the President promised Simon that he could name the Register at Oregon City and put the promise in writing. Simon intended his promise for Steel and the President expressed his willingness to appoint him.

Got Mad, Said He Didn't Want It.
 Before either appointment was made, however, Simon asked that the two names, Bibe and Steel, be sent to the Senate at one time. To this Senator Mitchell, it is reported, would not consent, as he had long had the promise of Bibe's appointment before Simon was assured that he could name the other officer. Upon appeal the President respected Senator Mitchell's wishes, for it was on account of protests and complaints from Senator Simon that he had held up Bibe's appointment so long. When Simon saw the President was in earnest and would not name both officers at one time, he became angry, and in a fit of temper told the President that to appoint Steel after the appointment of Bibe would be an insult to him and he did not want the appointment if it came in that way. In fact, he said he would not take it. As Simon appeared to be much wrought up over the matter, the President thought he might have said more on the impulse of the moment than he really intended, especially as Simon did not go on record as releasing the President from his promise. So the written pledge from the President stood to the end of Simon's term. In all that time, Simon never again mentioned the matter to the President, either in person or by letter. He held aloof, sulking somewhat whenever matters of patronage were mentioned to him and complained that he was discriminated against.

Could Have Had It Any Time.
 If he had, at any time during his Senatorial term after he secured the President's promise to appoint Steel, pressed the case of his benchman and supporter, Steel would have been named and would have been confirmed. The President was liberal enough to hold the office open for a year, and not until Simon's Senatorial career came to an end was any attempt made by any other member of the delegation to appoint a successor to Moore.

The President very properly holds that a promise such as he made to Simon was binding only during the Senator's term. It would be a dangerous precedent to establish to allow Simon as a private citizen to name public officials over the recommendations of the delegation in Congress, especially as the delegation is a unit in recommending another man.

Summed up, Senator Simon had a whole year in which he could, for the asking, have had Steel appointed Register of the Oregon City Land Office, but he was surly

and refused to ask for the appointment. On the contrary, in a fit of temper he said he did not want to fill the place, and now that he no longer is in a position to make appointments, asks that the unreasonable be done. He has been treated more than leniently by the Administration.

HIS EYE ON NEW OFFICE

Foster Wants Canal Commissioner-ship if Not Re-elected Senator.
OREGONIAN NEWS BUREAU, Washington, March 30.—Senator Foster has no comment to make on a recent special dispatch to The Oregonian from Tacoma announcing that two years hence he must retire from the field or fight for reappointment in Pierce County. It can be said, however, on the best authority, that Senator Foster will be a candidate for reelection, and will do his utmost to secure a second term in the Senate. His four years in Washington have been pleasant, on the average, and he has enjoyed enough of official life to want more.

Nevertheless, there have been indications during the winter that the Senator has some doubt of his ability to secure a reelection. The most significant of these was his solicitation from a number of Senators of indorsement for appointment as a member of the Isthmian Canal Commission. Early in the session Senator Foster told a number of his colleagues that he would like, for various reasons, to be one of this commission, and it is understood he secured indorsements from some, while others declined his request. Had he been confident of reelection, it is hardly probable he would have voluntarily sought an appointment of this sort at the hands of the Administration.

It is equally true that Representative Cushman has his eye on the Senatorship in 1904, although he is not yet ready to openly declare himself. Senator Foster expects more opposition from John L. Wilson than from any other Washington man. He regards Wilson's recent change of residence from Spokane to Seattle as being made solely with the Senatorship in view. He knows, moreover, that Wilson will leave no stone unturned to bring about his defeat, in the hope that he himself may return to the United States Senate. As far as Ed S. Hamilton is concerned, Senator Foster's friends assert that he is now, as heretofore, a staunch supporter of Foster. They do not believe he would enter the race as long as Foster is a candidate.

That Foster is maneuvering for Ankeny's support is unquestioned. But, strange to say, since Ankeny arrived in Washington, instead of enlisting Ankeny's support, Foster has placed himself in the position of supporting Ankeny and acknowledging the leadership of the Walls Walla man, a fact which leaves it open with Ankeny to support Foster or keep his hands off. The relations between the two Senators have so far been cordial, but Ankeny has been the dominant factor. As between Foster and Cushman, Ankeny would prefer Foster. He would also prefer him to Wilson, but the intimation has gone forth that Ankeny thinks a stronger man may be found in Western Washington, to whom he can give his support at the proper time, with better hope of defeating Wilson or some other candidate identified with his wing of the party.

FRIVOLOUS GROUNDS FOR ACTION IN MANY CASES.

PERSONAL FEELING RULED

Lawyers Attempt to Force a Poll of Jury, and Jurors Are Relieved When It is Denied—Nothing Expected to Come of It.

The Seattle grand jury reported its indictments to court yesterday, and will adjourn today, to Seattle's relief. The indictments are those which have been announced as having been voted. The lawyers for the indicted men challenged the action of the jury, and moved for a poll, but this was denied. It is the general belief that many of the indictments are based on frivolous grounds and will be quashed.

ENDS THE AGONY

Seattle Grand Jury at Last Makes Report.

OFFICIALS ARE INDICTED

SEATTLE, March 30.—(Special.)—After a dramatic scene in court, in which representative members of the local bar resorted to every means in their power to prevent it, the grand jury this afternoon returned all the indictments which it has voted during the past two weeks, including those against the Mayor, Chief of Police, Justices and other prominent men in the community. In all 19 indictments were returned, seven of which are against prominent men, and all but one of the more prominent ones are also withheld from the minutes of the court, the following list embraces all save the minor ones referred to:

T. J. Humes, malfeasance in office.
 Chief of Police Sullivan, malfeasance in office.
 Police Judge George, failure to perform his sworn duty.
 Justice T. H. Cann, extortion and perjury.
 George U. Piper, perjury.
 Jacob Furth, obtaining a valuable property by fraud.
 S. L. Safflet, obtaining valuable property by fraud.
 Walter S. Fulton, failure to perform his sworn duty.
 Charles F. Whittlesey, larceny by embezzlement.
 P. P. Padden, larceny by embezzlement.
 W. H. Whittlesey, larceny by embezzlement.
 Samuel Rosenberg, renting premises for immoral purposes.
 The indictments of Mayor Humes, Chief Sullivan, Judge George, Walter S. Fulton, C. F. and W. H. Whittlesey and P. P. Padden have heretofore been announced following the ballots taken in the jury-room. The indictment of the remainder was voted upon today after a preliminary discussion on Friday in which it was apparent that as the jury had an opportunity formally to ballot it would find true bills.

GROUND OFS OF INDICTMENT.

Judge Cann was indicted for failing satisfactorily to account to the jury for the proper notation of \$1.00 paid into his court by Fred Gardner, clerk in the United States Attorney's office, in connection with the issuance of a warrant for a woman in San Francisco. It is claimed that Judge Cann's testimony relating to the alleged misappropriation of the fee incidentally convicted him of perjury.

Messrs. Furth and Shuffleton were indicted for their connection with the granting of a lighting franchise to the former by the City Council in the Spring of 1902. Mr. Furth, as president of the Seattle Electric Company, acquired the franchise immediately after it had been issued to Shuffleton, who, several Councilmen testified, told the municipal body that he applied for it for his use as the head of a rival lighting corporation, and not for assignment to any other person.

All Result of Trading.
 A general feeling of relief pervades the city at the prospect of the final adjournment of the grand jury tomorrow. The bunch of indictments returned today brought few surprises, all news interest in the matter having been discounted by previous publication of the voting of the jury. The few who still assume to say that the work of the grand jury has been beneficial to the city hoped to the last minute that some of the frivolous matters would be dropped and that indictments would be reported only for real and serious cases, where such could be found. The list of those indicted indicates, however, that there is much truth in the charge made from time to time against the jury that personal likes and dislikes have entered very largely into its deliberations. The list seems to show that the strongest argument used in the jury-room has run something like this:

"If you don't vote to indict Smith, I won't vote to indict Jones," and so by threats and trading the list has been made up.

The jury did not want to be polled in open court. The indictments reported today have been practically decided upon for the past two weeks, but have been withheld from day to day until positive assurance was received that the hand of the jury would not be called. When the jury filed into Judge Bell's room today, the apartment was filled with men who had reason to anticipate indictment, and their attorneys ready to challenge the

WILL TAKE CHARGE APRIL 1

Bonds of New Dulles Land Officials Are Approved.

OREGONIAN NEWS BUREAU, Washington, March 30.—Secretary Hitchcock today approved the bond of M. T. Nolan and Anne M. Lang, and wired both parties to take charge of the Dulles Land Office on April 1 as Register and Receiver, respectively.

THE DAY'S DEATH ROLL

General William H. Jackson Dead.
NASHVILLE, Tenn., March 30.—General William H. Jackson, a noted Confederate cavalry leader, and the proprietor of the Bellemeade Farm, died at his home, Bellemeade, near here this afternoon. He was 82 years old, and had been in failing health for more than a year, and dangerously ill for several weeks past.

He was graduated from West Point in 1856, and went to New Mexico, where he participated in a number of Indian fights with Kit Carson and other scouts. He resigned his commission, however, at the opening of the Civil War to enlist in the Confederate service. Since the war he has devoted himself to agriculture and breeding of thoroughbred running horses, some of the most noted performers of the American turf having been reared at Bellemeade.

Two children, William H. Jackson, Jr., and Mrs. Settle Ellison, survive him.

General Jackson was a brother of the late Howell E. Jackson, Associate Justice of the Supreme Court of the United States.

Boscovitz, the Pianist, Dead.
DENVER, March 30.—Frederick Boscovitz, the eminent Hungarian pianist, is dead from general debility. He was 67 years of age. Mr. Boscovitz was the last living pupil of Chopin. He was born in Budapest, Hungary, and had been in America 23 years. Mr. Boscovitz came to Denver last September, and opened a school here. Illness overtook him, and he was placed in St. Joseph's Hospital, where he died. His only living relative in this country was his wife, who resides in Cleveland, O. She has been communicated with.

Admiral Courtesies Dead.
PARIS, March 30.—Admiral Courtesies, who commanded the French forces at Taku and Tien Tsin, during the recent China expedition, is dead.

Captain Raper is Dead.
CHILLICOTHE, O., March 30.—Captain John T. Raper, aged 59, publisher of the Ohio Soldier, died today.

REPLY TO DEWEY

German Rushes to Defense of His Navy.

"GOULD SMASH DEWEY'S"

Kaiser Is Mollified, But His Subjects Are Not.

THEY RETALIATE IN KIND

There Will Be No "Diplomatic Incident," But Newspaper Fires a Broadside at the Hero of Manila Bay.

Kaiser William's plumes have not been officially ruffled by the comments of Admiral Dewey on his navy, but not so with German newspapers. Count von Reventlow takes up Dewey's challenge and casts some reflections on the American Navy, saying Germany's warship could smash it.

GERMAN RUSHES TO DEFENSE OF HIS NAVY.

BERLIN, March 30.—The Foreign Office here is fully satisfied with the explanations made by Admiral Dewey to the President regarding the interview which appeared recently in a Newark, N. J., paper, in which criticisms of the German navy and the German Emperor were made. No communication on the subject has passed between the Foreign Office and the German Embassy at Washington, because the officials here, from the beginning, felt certain that if Admiral Dewey had been correctly reported, the Government of the United States would do everything proper on its initiative without any reminder from here.

Count von Reventlow, in the Tageblatt today, compares the German and American navies. He says Germany's first squadron is homogeneous and always ready for instantaneous service. "It could," he added, "smash Dewey's heterogeneous assemblage, which had not a single modern armored cruiser." The Count regards the American maneuvers as "generally childish," and as "always resulting in defeats of the hostile fleets, the naval commanders, therefore, gaining large newspaper glory."

Count von Reventlow refers to the "poor marksmanship of the West Indian fleet," to its insufficient number of officers and to the low morals of the Navy, as indicated by the numerous desertions, and says he believes "the United States will some day have a fine fleet, but she has not one yet."

"THE GREATEST COUNTRY"

Czar's Tribute to United States in Discussing St. Louis Fair.
ST. PETERSBURG, March 30.—The Czar today received Thomas W. Criddle, the representative of the St. Louis Exposition, at the imperial residence at the Tsarskoie Zele and expressed his personal interest in, and sympathy with the objects of the St. Louis Exposition, the scope of which he discussed with Mr. Criddle for a considerable length of time. The Czar referred to the friendship existing between Russia and the United States, and he hoped to see that friendship more firmly cemented. He seemed much impressed by the magnitude of the exhibition plans and said he wished to congratulate America on the extraordinary development, saying to Mr. Criddle:

"You have the greatest country."

The Czar promised to carefully examine a memorandum submitted to him by Mr. Criddle, showing the economic reasons for the participation of Russia in the exhibition.

OLD-TIME STEAMBOAT RACE.

Mark Twain Backs Up Suggestion for St. Louis Fair.
NEW YORK, March 30.—Mark Twain has recalled the days when he was a pilot on the Mississippi River in a letter to ex-Governor David R. Francis, president of the St. Louis Exposition, in response to Sir Thomas Lipton's suggestion that a series of old-time steamboat races be inaugurated as a feature of the Exposition. Mark Twain wants a genuine reproduction of the old-time race, with negro roustabouts and singers; the use of the torch-basket, rather than the searchlight, and the extinguishing of the latter-day Government lights, so that the quality of the piloting would count where the boats are evenly matched in speed.

"As a spectacle," writes Mark Twain, "nothing should add to it except an old-time blow-up as the boats finished the homestretch. But this should not be arranged; it is better left to Providence."

THREE GOLD SOUVENIR MEDALS.

COLORADO SPRINGS, Colo., March 30.—One of the most important features connected with the dedicatory exercises of the St. Louis Exposition will be the presentation by the Colorado State Board of Commissioners of three gold souvenir medals, one to Theodore Roosevelt, President of the United States; a second to Emile Loubet, President of the French Republic, and the third to President David R. Francis of the Louisiana Purchase Exposition. The presentation will be made on April 30. The gold for the three souvenirs comprises about four ounces, and was contributed by the management of a Cripple Creek mine.

GERMANY AT ST. LOUIS.

BERLIN, March 30.—Emperor William today received in audience Dr. Lewald, the commissioner of Germany to the St. Louis Exposition, and Professor Bruno Schmitz, the architect, for the purpose of inspecting the plans for the German building at St. Louis.

Dr. Lewald and Professor Schmitz will start for St. Louis in a fortnight. The Emperor asked Dr. Lewald many questions concerning the German exhibit, and made a number of suggestions.

JURORS FEARED A POLL

Intense interest was manifest in the courtroom when Judge Emory, in making his motion for the poll, declared emphatically that he had positive information that no 12 votes were behind the indictments against Charles F. and William H. Whittlesey, Forman O'Brien, of the jury, turned a bright pink and several others of the jurymen wrinkled perceptibly. There had been so many conflicting rumors as to Judge Bell's purpose that even the jury, brought face to face with the question, could not rely on the assurance that it would be polled.

And the court was not very prompt with its decision. Judge Bell discussed the authorities with counsel and vent over the various points brought up for several minutes before he relieved the tension. When he decided against the poll there was a big sigh of relief, and the nervous jurymen settled back in their seats with great complacency.

Among the counsel present in court, embracing many of the leading lawyers of the town, not the slightest doubt exists but that each and every indictment may be easily quashed. None of the 12 prominent men who were made defendants today can be expected, under any circumstances, to plead guilty; in fact, each is eager for the most free and full exposition of the grounds upon which the jury has seen fit to base the indictments.

SOME CHARGES ARE TRIFLING.

Just to run some of them over: Mayor Humes, Chief Sullivan, ex-County Attorney Fulton and Police Judge George are accused of not suppressing gambling and vice in the city; Justice Cann is said to have failed to note in his records the disposition of \$3.00 fees, which he collected, and to have perjured himself in attempting to account for it to the jury; George Piper told the jury that he had returned a sum of money collected as part of a city campaign fund and expected to be reimbursed; another witness said he understood Piper had been reimbursed, and for this the jury charges Piper with perjury.

S. L. Shuffleton got a franchise to light the city. Certain Councilmen said they supposed he wanted it for himself, but Shuffleton transferred it to Jacob Furth for the Seattle Electric Company; so the jury accuses both Shuffleton and Furth of getting something valuable by fraudulent means.

And so it goes throughout the list. Nothing serious against anybody, so the lawyers say, and yet enough to tarnish reputations, perhaps, and certainly enough to cause a good deal of trouble and expense to those indicted. But the grand jury had to make some showing after its weeks of toil. Tomorrow it quits work, and to say that the community will be pleased is mildly courteous.

FOUR TRACKS ALL THE WAY

Lake Shore to Be Widened From Buffalo to Chicago.

CHICAGO, March 30.—The management of the Lake Shore Railroad has decided to four-track the system from Chicago to Buffalo, thereby establishing a four-track line from Chicago to New York. Nearly 400 men are already at work on the improvement, and within a short time fully 300 men will be employed. The freight consistencies of the line are expected to be the determining factor in influencing the management to order the improvement.

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